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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,054	06/14/2000	Michael Kaplan	07844-427001	7627

21876 7590 12/08/2003

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EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 12/08/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/594,054

Applicant(s)

KAPLAN ET AL.

Examiner

Quoc A. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communications: original application filed 06/14/2000.
2. Claims 1-38 are currently pending in this application. Claims 1, 13, 22 and 31 are independent claims.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-3, 5, 7-11, 13-17, 19-24, 27-31, and 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (hereinafter Himmel) (US 6,314,423 B1 – filed 07-1998), in view of Nakamura (hereinafter Nakamura) (US 6,496,829 B1 – filed 01-2000).**

4. As to independent claim 1, Himmel discloses a method comprising:

storing on a client device a set of references (*providing one or more searchable repositories of bookmark sets stored in a computer system*, see Himmel col. 2, lines 60-61) to external destinations in a network environment (*in an Internet environment*, see Himmel col. 1, lines 3-4) each destination having an associated bookmark presenting the bookmark (*Each bookmark set contains a set of Uniform Resource Locators (URLs)*, see Himmel col. 2, lines 62-63) to a user for selection; and accessing the network destination corresponding to the selected bookmark (*selected bookmark set is received and used by the client browser to access the set of URLs in the selected bookmark set*, see Himmel col. 3, lines 8-10). Himmel does not explicitly disclose media objects; however Nakamura teaches (*programs, are supplied from a storage medium, such as a CD-ROM, a flash memory or an FD, or an external storage medium via a network*, see Nakamura col.15, lines 35-37).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate Nakamura' teaching for presenting media objects to Himmel's bookmark set. One of the ordinary skill in the art would have been motivated to combine these functionality, so that (*a host computer. In this case, the present invention can be applied for a case wherein information groups, including programs, are supplied from a storage medium, such as a CD-ROM, a flash*

*memory or an FD, or an external storage medium via a network, to an output device, see Nakamura col. 15, lines 33-37).*

5. As to **dependent claim 2**, Himmel and Nakamura disclose the limitation as cited in independent claim 1 above and further comprise, storing on the client device a set of references to the media objects (*bookmark sets stored in a computer system, each bookmark set can be downloaded to a client browser as a unit. Each bookmark set contains a set of Uniform Resource Locators (URLs)*), see Himmel col. 2, lines 60-63).

6. As to **dependent claim 3**, Himmel and Nakamura disclose the limitation as cited in independent claim 1 above and further comprising wherein accessing the network destination and retrieving a web page corresponding to the selected media object (*providing a set of bookmarks in a browser for retrieving Web pages in an Internet environment*), see Himmel col. 1, lines 12-14).

7. As to **dependent claim 5**, Himmel and Nakamura disclose the limitation as cited in independent claim 1 above and further comprising wherein presenting and retrieving the bookmark media objects from one or more hosts (*page retrieval ... display his bookmark list and select among his bookmarks to go directly to a favorite page ... Internet access through the browser*), see Himmel col. 2, lines 1-11).

8. As to **dependent claim 7**, Himmel and Nakamura disclose the limitation as cited in independent claim 1 above and further presenting the bookmark media objects comprises displaying a matrix of bookmark media objects (*map a*

*hostname in the URL to a particular network IP address at which the server is located. The naming service returns a list of one or more IP addresses that can respond to the request, see Himmel col. 1, lines 50-53).*

9. As to dependent claims 8 and 9, Himmel and Nakamura disclose the limitations as cited in independent claim 1 above and further presenting the bookmark media object comprises displaying a stream of video that disclosed in dependent claim 8, and outputting audible sounds that disclosed in dependent claim 9 (*The World Wide Web, or simply "the Web", is the Internet's multimedia information retrieval system. It is the most commonly used method of transferring data in the Internet environment. Other methods exist such as the File Transfer Protocol (FTP) and Gopher, but have not achieved the popularity of the Web. Client machines accomplish transactions to Web servers using the Hypertext Transfer Protocol (HTTP), which is a known application protocol providing users access to files, e.g, text, graphics, images, sound, video, using a standard page description language known as the Hypertext Markup Language (HTML), see Himmel col. 1 lines 30-40).*

10. As to dependent claim 10, Himmel and Nakamura disclose the limitation as cited in independent claim 1 above and further including: verifying status of each bookmark media object; and presenting a default bookmark media object

when the status indicates the corresponding bookmark media object is not available (*Once a bookmark is added to a bookmark list, in general, the bookmark becomes a permanent part of the browser until removed*, see Himmel col. 2, lines 8-9).

11. As to **dependent claim 11**, Himmel and Nakamura disclose the limitation as cited in independent claim 1 above and further comprising wherein each bookmark media object represents a current state of the corresponding network destination (*current technology used in browsers to update bookmarks, i.e. removing the old address and entering the new one*, see Himmel col. 2, lines 27-29).

12. As to **independent claim 13**, Himmel and Nakamura disclose generating a set of bookmark media object, each bookmark media object corresponding to a network destination within a computing environment (*providing a set of bookmarks in a browser for retrieving Web pages in an Internet environment*, see Himmel col. 1, lines 12-14); storing the bookmark media objects on one or more servers within the computing environment (*storing a plurality of bookmark sets at a server*, see Himmel col. 12, line 45); and updating the bookmark media objects as a function of a state of the computing environment (*The browser can be configured so that a newly served bookmark set automatically becomes the active bookmark set in the browser. Alternatively, a "Select active bookmark set" option in a bookmark pulldown can used to specify the*

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*unique bookmark set that is active at any one session, see Himmel col. 6, lines 23-25).*

13. As to dependent claim 14, Himmel and Nakamura disclose the limitation as cited in independent claim 13 above and further comprising wherein updating the bookmark media object comprises updating the bookmark media object as a function of a current state of the corresponding network destination (*current technology used in browsers to update bookmarks, i.e. removing the old address and entering the new one, see Himmel col. 2, lines 27-29).*

14. As to dependent claim 15, Himmel and Nakamura disclose the limitation as cited in independent claim 13 above and further comprising wherein updating the bookmark media object comprises updating the bookmark media object as a function of the information received from a remote user (*One feature of the invention allows the user to assign an attribute to the newly served bookmark set. At download, a dialog box is presented, asking the user if the bookmark set is to be a temporary or permanent bookmark set. A temporary bookmark set is a good choice for a search which will not last beyond the current session. If a permanent bookmark set is chosen, the bookmark set becomes a permanent part of the browser (until deleted). Next, another dialog box is presented, asking the user if he wants to subscribe to the bookmark set for updates, see Himmel col.10, lines 19-28).*



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15. As to dependent claim 16, Himmel and Nakamura disclose wherein the set of bookmark media objects are generated by a server within the computing environment, and further wherein updating the bookmark media object comprises updating the bookmark media object as a function host-determined condition (*a bookmark set is an entity which has attributes of its own, e.g., active vs. inactive, and manages attributes and behavior, e.g., dynamic vs. static ... "Select active bookmark set" option in a bookmark pulldown can used to specify the unique bookmark set that is active at any one session, see Himmel col. 6, lines 15-25*).

16. As to dependent claim 17, Himmel and Nakamura disclose the limitation as cited in independent claim 13 above and further comprising wherein updating the bookmark media object comprises updating the bookmark media object when content of the network destination is changed (*user to periodically update the information in his browser. A bookmark list which is updated monthly can have a different set of "advertisers", i.e. bookmarks to paying web sites. Presuming that the content, the list of URLs, is kept valuable and current, users will subscribe, see Himmel col. 11, lines 20-25*).

17. As to dependent claim 19, Himmel and Nakamura disclose the limitation as cited in independent claim 13 above and further comprising wherein updating the bookmark media object includes generating a video stream is directed to

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performing the method of dependent claim 8, and are similarly rejected under the same rationale.

18. As to **dependent claim 20**, Himmel and Nakamura disclose the limitation as cited in independent claim 13 above and further comprising wherein updating the bookmark media object includes generating an audio stream is directed to performing the method of dependent claim, and are similarly rejected under the same rationale.

19. As to **dependent claim 21**, Himmel and Nakamura discloses the limitation as cited in independent claim 13 above and further comprising communicating the bookmark media objects to a client device for display to a user (*Responsive to a request for downloading a selected bookmark set, the selected bookmark is served to the client. The selected bookmark set is received and used by the client browser to access the set of URLs in the selected bookmark set, see Himmel Abstract*).

20. As to **independent claim 22** is directed to a computer-readable medium for performing the method of independent claim 1, and are similarly rejected under the same rationale.

21. As to **dependent claim 23**, Himmel and Nakamura disclose the limitation as cited in independent claim 22 above and further comprising wherein the instructions cause the programmable processor to store on the client device a set of references to the bookmark media objects is directed to performing the

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method of dependent claim 2, and are similarly rejected under the same rationale.

22. As to **dependent claim 24**, Himmel and Nakamura disclose the limitation as cited in independent claim 22 above and further comprising wherein the instructions cause the programmable processor to retrieve a web page corresponding to the selected bookmark media object is directed to performing the method of dependent claim 3, and are similarly rejected under the same rationale.

23. As to **dependent claim 27**, Himmel and Nakamura disclose the limitation as cited in independent claim 22 above and further comprising wherein the instructions cause the programmable processor to present the bookmark media object by displaying a stream of video is directed to performing the method of dependent claim 8, and are similarly rejected under the same rationale.

24. As to **dependent claim 28**, Himmel and Nakamura disclose the limitation as cited in independent claim 22 above and further comprising wherein the instructions cause the programmable processor to output audible sounds in response to at least one audio signal is directed to performing the method of dependent claim 9, and are similarly rejected under the same rationale.

25. As to **dependent claim 29**, Himmel and Nakamura disclose the limitation as cited in independent claim 22 above and further comprising wherein the instructions cause the programmable processor to verify a status of each bookmark media object; and present a default bookmark media object when the status indicates the corresponding bookmark media object is not available is

directed to performing the method of dependent claim 10, and are similarly rejected under the same rationale.

26. As to **dependent claim 30**, Himmel and Nakamura disclose the limitation as cited in independent claim 22 above and further comprising wherein each bookmark media object represents a current state of the corresponding network destination is directed to performing the method of dependent claim 11, and are similarly rejected under the same rationale.

27. As to **independent claim 31** is directed to a system comprising: a server configured to store a set of bookmark media objects for performing the method of independent claim 1, and are similarly rejected under the same rationale.

28. As to **dependent claim 33**, Himmel and Nakamura disclose the limitation as cited in independent claim 31 above and further comprising wherein at least one of the bookmark media objects comprises an audio stream is directed to performing the method of dependent claim 9, and are similarly rejected under the same rationale.

29. As to **dependent claim 34**, Himmel and Nakamura disclose the limitation as cited in independent claim 31 above and further comprising wherein at least one of the bookmark media objects comprises a video stream is directed to performing the method of dependent claim 8, and are similarly rejected under the same rationale.

30. As to **dependent claim 35**, Himmel and Nakamura disclose the limitation as cited in independent claim 31 above and further comprising wherein a client device configured to store references to the bookmark media objects on the web

server (*storing a plurality of bookmark sets at a server coupled to a network*, see Himmel col. 12, line 45).

31. As to **dependent claim 36**, Himmel and Nakamura disclose the limitation as cited in independent claim 31 above and further comprising wherein the web server is configured to update each bookmark media object as a function of a current state of the corresponding network destination is directed to performing the method of dependent claim 14, and are similarly rejected under the same rationale.

32. As to **dependent claim 37**, Himmel and Nakamura disclose the limitation as cited in dependent claim 36 above and further comprising wherein the web server is configured to update each bookmark media object as a function of information received from the web browser is directed to performing the method of dependent claim 15, and are similarly rejected under the same rationale.

33. As to **dependent claim 38**, Himmel and Nakamura disclose the limitation as cited in dependent claim 36 above and further comprising wherein the web server is configured to update each bookmark media object when content of the network destination is changed is directed to performing the method of dependent claim 17, and are similarly rejected under the same rationale.

**Claims 4, 12, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel in view of Nakamura as applied independent**

claims 1, and 22 above, and further in view of Kirk et al (hereinafter Kirk) (US 6,175,842 B1 – filed 07-1997).

35. As to dependent claim 4, Himmel and Nakamura do not explicitly disclose wherein accessing the network destination comprises retrieving a three-dimensional environment corresponding to the selected media object; however Kirk teaches (*constructing and displaying a virtual three dimensional space based upon the determination that a user is browsing hypertext files at a network site*, see Kirk col. 1, lines 10-14).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate Kirk's teaching to constructing and displaying a virtual three dimensional space based upon the determination that a user is browsing hypertext files at a network site with Himmel and Nakamura method of accessing the network destination corresponding to the selected media object. One of the ordinary skill in the art would have been motivated to modify this functionality, because (*some known sites on the WWW present content in a 3-D format*, see Kirk col.1, lines 38-39).

36. As to dependent claims 12, and 25 are included the same limitations as dependent claim 4, and are similarly rejected under the same rationale.

Claims 6, 18, 26, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel in view of Nakamura as applied independent

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claims 1, 13, 22 and 31 above, and further in view of Anders (hereinafter Anders) (US 6,269,403 B1 - filed 06-1997).

37. As to dependent claim 6, Himmel and Nakamura do not explicitly disclose wherein presenting the bookmark media objects comprises displaying at least one thumbnail; however Anders teaches (*The browser retrieves and interprets the HTML defining a page to display it on a user's computer screen. A typical Web page may have multiple objects including HTML text, a background image, icons, audio and bitmaps for several images*, see Anders col. 1, lines 31-35).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate Anders' teaching to display an icon on user's computer screen with Himmel and Nakamura method of storing on a client device a set of references to external destinations in a network environment, each destination having an associated bookmark media object; presenting the bookmark media objects to a user for selection. One of the ordinary skill in the art would have been motivated to modify this functionality, because (This enables their customers to access a variety of information and communication services available from independent content providers and other Web users. For example, a typical customer can access electronic mail, news services, weather services, bulletin board services and travel services on the Web, see Anders col. 1, lines 18-21).

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38. As to **dependent claim 18**, Himmel and Nakamura disclose the limitation as cited in independent claim 13 above and further comprising wherein generating the bookmark media object includes generating a thumbnail is directed to performing the method of dependent claim 6, and are similarly rejected under the same rationale.

39. As to **dependent claim 26**, Himmel and Nakamura disclose the limitation as cited in independent claim 22 above and further comprising wherein the instructions cause the programmable processor to present the bookmark media objects by displaying at least one thumbnail is directed to performing the method of dependent claim 6, and are similarly rejected under the same rationale.

40. As to **dependent claim 32**, Himmel and Nakamura disclose the limitation as cited in independent claim 31 above and further comprising wherein at least one of the bookmark media objects comprises a thumbnail is directed to performing the method of dependent claim 6, and are similarly rejected under the same rationale.

### ***Conclusion***

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Burke	U.S. Patent No. 6,032,162	issued	02-2000
Himmel et al.	U.S. Patent No. 6,041,360	issued	03-2000
Furst	U.S. Patent No. 6,297,819 B1	issued	10-2001



26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-8781. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
JOSEPH H. FEILD  
PRIMARY EXAMINER